

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

INTERFOOD HOLDING, B.V.,)	
)	
Plaintiff,)	
)	
vs.)	Case No.: 4:08-cv-00085
)	
LARRY RICE, <i>et al.</i> ,)	
)	
Defendants.)	

**DEFENDANTS HUSMANN'S AND DF INGREDIENTS' COUNSELS'
RENEWED MOTION TO WITHDRAW**

Joe D. Jacobson, Martin M. Green, Bradley P. Schneider, and Green Jacobson P.C., counsel for defendants Michael Husmann and DF Ingredients, Inc., move for leave to withdraw as counsel for these defendants.

In support of their motion, counsel state:

As noted in the previous motion to withdraw, counsel were permitted to withdraw from representing these clients, along with defendant Rice, in a related state-court case September 1, 2009. One reason for the withdrawal was the clients' refusal to pay over \$50,000 in past-due attorneys' fees and expenses.

Clients retained substitute counsel to represent them in the state-court action, but declined to have this substitute counsel enter his appearance here for the purpose of maintaining a barrier to counsels' ability to bring an action to collect their attorneys' fees.

This court denied the initial motion to withdraw on the ground that DF Ingredients, a corporation, could not represent itself *pro se*, and that therefore substitute counsel would need to enter before present counsel could withdraw.

Based on yesterday's court filing, however, which indicates that the parties have entered into a global settlement of all of their disputes, which settlement has been entered as a final judgment by the state court judge, counsel now renew their motion to withdraw. There is no longer any reason for Husmann or DF Ingredients to have legal representation in an action, this action, which has terminated by reason of settlement or final judgment in the related case.¹

In short, since the litigation among the parties is concluded, there is no longer any need for DF Ingredients, or Husmann, to have legal presentation in this litigation, and the court should permit counsel to withdraw and finally sever their now long involuntary relationship with these former clients.

CONCLUSION

Joe D. Jacobson, Martin M. Green, Bradley P. Schneider, and Green Jacobson P.C., should be permitted to withdraw as counsel for defendants Michael Husmann and DF Ingredients, Inc.

¹ Since the settlement agreement enforced by the state court judgment provides, among other things, that each party is to bear its own costs and attorneys' fees, it appears that Husmann and DF Ingredients have blocked the undersigned's ability to recover a portion of their unpaid fees through the motion for an award of attorneys' fees presently pending in this court.

Respectfully submitted,

GREEN JACOBSON, P.C.

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Attorneys for defendants Husmann and DF
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CERTIFICATE OF SERVICE

The filing attorney certifies that on January 6, 2010, the foregoing was filed electronically and served with the clerk of the court to be served by operation of the court's electronic filing system on the all participants in the court's electronic case filing system.

The filing attorney certifies that a true and accurate copy of the foregoing was served by U.S. Mail, first-class postage prepared, on the same date to the following non-participants in the court's electronic filing system: Larry Rice, 127 Elm Street, Suite 200, Washington, MO 63090; Michael Husmann, 127 Elm Street, Suite 200, Washington, MO 63090; and DF Ingredients, 127 Elm Street, Suite 200, Washington, MO 63090.